

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

STEVEN R. SCHOFF, JR.)	
)	
Plaintiff,)	
)	
v.)	Docket No. 2:16-cv-609-NT
)	
JOSEPH FITZPATRICK,et al.,)	
)	
Defendants.)	

**ORDER AFFIRMING RECOMMENDED DECISION
OF THE MAGISTRATE JUDGE**

On March 7, 2018, the United States Magistrate Judge filed with the court, with copies to counsel, his Recommended Decision on the Defendants' Motion to for Summary Judgment. The Defendants filed an objection to the Recommended Decision on March 21, 2018. I have reviewed and considered the Recommended Decision, together with the entire record; I have made a *de novo* determination of all matters adjudicated by the Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in the Recommended Decision.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **AFFIRMED** and **ADOPTED**. The Defendants' Motion for Summary Judgment is **GRANTED** in part as follows:

1. as to all the Defendants on the Plaintiff's claim of denial of access to the courts;

2. as to Defendants Penny Bailey and Scott Landry on the Plaintiff's legal mail claim;

2. on the Plaintiff's retaliation claim; and

4. to preclude any award of compensatory damages for emotional distress, but reserve judgment on whether the Plaintiff may be able to establish an actual injury to a constitutional right that would otherwise support the Plaintiff's request for compensatory damages.

The remaining claims are against Defendants Verrier and Brown and are on the Plaintiff's First Amendment legal mail claim and Fourth Amendment unreasonable seizure claim.

SO ORDERED.

/s/ Nancy Torresen
United States Chief District Judge

Dated this 18th day of September, 2018.